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JFW
Docket No.: 18989-032

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS : Bunn, et al.

SERIAL NUMBER : 10/772,076

EXAMINER : Yong D. Pak

FILING DATE : February 3, 2004

ART UNIT : 1652

FOR : COMPOSITIONS AND METHODS OF TREATING DIABETES

MAIL STOP AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

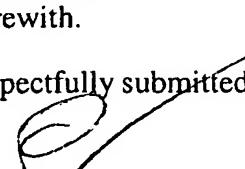
Transmitted herewith for filing in the above-referenced patent application are the following documents:

1. Supplemental Information Disclosure Statement (2 pages), in duplicate;
2. Modified Form 1449/PTO (2 pages), in duplicate;
3. Copies of cited references B3; C4-21; and
4. Return postcard.

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at 617-542-6000, Boston, Massachusetts.

The Commissioner is authorized to charge any fees that may be due, or to credit any overpayment, to the undersigned's account, Deposit Account No. 50-0311 Ref. No. 18989-032. A duplicate copy of this transmittal letter is enclosed herewith.

Respectfully submitted,


Ingrid A. Beattie, Reg. No. 42,306
Cynthia A. Kozakiewicz, Reg. No. 42,764
Attorneys for Applicants
c/o MINTZ, LEVIN
Address all written correspondence to
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Tel: (617) 542-6000

Date: June 13, 2005



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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FOR : COMPOSITIONS AND METHODS OF TREATING DIABETES

Mail Stop Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, Applicants hereby make of record the documents listed on the attached modified Form PTO-1449, as well as copies of the listed documents.

This Supplemental Information Disclosure Statement is being filed before the mailing date of a first Office Action based on the merits in the above-identified case. Accordingly, no fee or certification is believed due. By the waiver of 37 CFR 1.98(a)(2)(i) copies of the U.S. Patents A1-A3 are not submitted.

It is respectfully requested that the Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims, and sign the enclosed form PTO-1449 to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application.

By submitting this Supplemental Information Disclosure Statement, the Applicants make no representation that: (1) a search has been performed, of the extent of any search performed, or that more relevant information does not exist; (2) the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b); and (3) the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

APPLICANTS: **Bunn et al.**
U.S.S.N.: **10/772,076**

Notwithstanding any statements by the Applicants, the Examiner is urged to form his/her own conclusion regarding the relevance of the cited information. An early and favorable action is hereby requested.

Please charge any fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311, Reference No. 19898-032.

Respectfully submitted,


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Cynthia A. Kozakiewicz, Reg. No. 42,764
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Date: June 13, 2005

TRA 2023019v1



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PTO/SB (12-97)

Approved for use through 9/30/00. OMB 0651-0031

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)					Application Number	10/772,076			
					Filing Date	February 3, 2004			
					First Named Inventor	Bunn			
					Group Art Unit	1652			
					Examiner Name	Yong D. Pak			
					Attorney Docket Number	18989-032			
U.S. PATENT DOCUMENTS									
Exam Initials	Cite No.	U.S. Patent Document No.	Issue Date	Name of Patentee(s) or Applicant(s)	Class	Sub Class	Filing Date If Appropriate		
MN	*A1	3,625,214	12/07/71	Higuchi	128	260			
MN	*A2	4,789,734	12/06/88	Pierschbacher	530	395			
MN	*A3	4,925,673	05/15/90	Steiner et al.	424	455			
U.S. PUBLISHED APPLICATION DOCUMENTS									
Exam Initials	Cite No.	U.S. Published Application No.	Published Date	Name of Patentee(s) or Applicant(s)	Class	Sub Class	Filing Date If Appropriate		
FOREIGN PATENT DOCUMENTS									
Exam Initials	Cite No.	Foreign Patent Document Office	Number	Name of Patentee(s) or Applicant(s)	Date of Publication	Translation Yes No			
MN	B3	WO	89/07136	WHITEHEAD INSTITUTE FOR BIOCHEMICAL RESEARCH; HOWARD HUGHES MEDICAL INSTITUTE	08/10/89				
OTHER PRIOR ART: NON-PATENT LITERATURE DOCUMENTS									
Exam Initials	Cite No.	Name of Author, Title (when appropriate), Publication, Volume, Page(s), Date, Etc.							
MN	C4	GENBANK Accession No. AF169803 (2000)							
	C5	GENBANK Accession No. AAF04812 (2000)							
	C6	GENBANK Accession No. XM229210							
	C7	GENBANK Accession No. XP229210							
	C8	GENBANK Accession No. P56395 (2004)							
	C9	GENBANK Accession No. P00173 (2004)							
	C10	GENBANK Accession No. P20070 (2005)							
	C11	GENBANK Accession No. AL034347 (2005)							
	C12	Gregoriadis <i>Drug Carriers Biol. Med.</i> , pp. 287-341 (Academic Press) (1979)							
	C13	Johnson et al. <i>J. Biol. Chem.</i> , 273(52):35147-35152 (1998)							
	C14	Kotani et al. <i>Anal. Biochem.</i> , 284(1):65-69 (2000)							
	C15	Kotin et al. <i>Proc. Natl. Acad. Sci. USA</i> , 87:2211-2215 (1990)							
	C16	Leiter et al. <i>Am. J. Pathol.</i> , 128(2):380-383 (1987)							
MN	C17	Lu et al. <i>Abstracts of the Meeting on Gene Therapy</i> , Sept. 22-26, 1992, Cold Spring Harbor Laboratory, Cold Spring Harbor, New York, Abstract, page 66.							

MN	C18	Morsy et al. <i>J. Cell. Biochem.</i> , Suppl. 17E, pp. 226, Abstract SZ109 (1993)
MN	C19	Rosenberg et al. <i>N. Engl. J. Med.</i> , 323(9):570-578 (1990)
MN	C20	Waddington et al. <i>Anal. Biochem.</i> , 292(2):234-244 (2001)
—	C21	Zhu et al. <i>Proc. Natl. Acad. Sci. USA</i> , 96(26):14742-14747 (1999) — duplicate

* By the waiver of 37 CFR 1.98(a)(2)(i) copies of the U.S. Patents A1-A3 are not submitted.

Examiner Signature	Marcia S. Noble <small>Digitally signed by Marcia S. Noble DN: cn=Marcia S. Noble, o=US o=USPTO, ou=AU 1633 ou=USPTO-CACR@uspto.gov Date: 2007.02.11 01:20:51 -05'07</small>	/Marcia Noble/	Date Considered	02/11/2007
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

TRA 1983916v1

12-03-04

3 FW
Docket No.: 18989-032



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS : Bunn, et al.

SERIAL NUMBER : 10/772,076 EXAMINER : Not Yet Assigned

FILING DATE : February 3, 2004 ART UNIT : 1651

FOR : COMPOSITIONS AND METHODS OF TREATING DIABETES

MAIL STOP AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

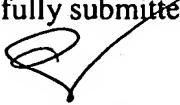
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1. Information Disclosure Statement (2 pages), in duplicate;
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Cynthia A. Kozakiewicz, Reg. No. 42,764
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Dated: December 2, 2004



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS : Bunn, et al.
SERIAL NUMBER : 10/772,076 EXAMINER : Not Yet Assigned
FILING DATE : February 3, 2004 ART UNIT : 1651
FOR : COMPOSITIONS AND METHODS OF TREATING DIABETES

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, Applicants hereby make of record the documents listed on the attached modified Form PTO-1449, as well as copies of the listed documents.

This Information Disclosure Statement is being filed within three months of the mailing date of the International Search Report for PCT/US2004/003035, mailed September 22, 2004 that corresponds to the above-identified application. Accordingly, no fee or certification is believed due.

It is respectfully requested that the Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims, and sign the enclosed form PTO-1449 to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application.

By submitting this Information Disclosure Statement, the Applicants make no representation that: (1) a search has been performed, of the extent of any search performed, or that more relevant information does not exist; (2) the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b); and (3) the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

APPLICANTS: **Bunn et al.**
U.S.S.N.: **10/772,076**

Notwithstanding any statements by the Applicants, the Examiner is urged to form his/her own conclusion regarding the relevance of the cited information. An early and favorable action is hereby requested.

Please charge any fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311, Reference No. 19898-032.

Respectfully submitted,



Ingrid A Beattie, Reg. No. 42,306
Cynthia A. Kozakiewicz, Reg. No. 42,764
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Dated: December 2, 2004

TRA 1983231v1

Express Mail No.: EV 392126175 US
Date of Deposit: December 2, 2004

Page 1 of 1
Attorney Docket No.: 18989-032



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Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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<p>Modified Form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)</p>					Application Number	10/772,076		
					Filing Date	February 3, 2004		
					First Named Inventor	Bunn		
					Group Art Unit	1651		
					Examiner Name	Not Yet Assigned		
					Attorney Docket Number	18989-032		
U.S. PATENT DOCUMENTS								
Exam Initials	Cite No.	U.S. Patent Document No.	Issue Date	Name of Patentee(s) or Applicant(s)	Class	Sub Class	Filing Date if Appropriate	
U.S. PUBLISHED APPLICATION DOCUMENTS								
Exam Initials	Cite No.	U.S. Published Application No.	Published Date	Name of Patentee(s) or Applicant(s)	Class	Sub Class	Filing Date if Appropriate	
FOREIGN PATENT DOCUMENTS								
Exam Initials	Cite No.	Foreign Patent Document Office Number		Name of Patentee(s) or Applicant(s)	Date of Publication		Translation Yes	No
MN	B1	WO	01/44448 A2	INCYTE GENOMICS, INC.	06/21/01			
MN	B2	WO	03/087399 A1	BIOVIT-RUM AB	10/23/03			
OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS								
Exam Initials	Cite No.	Name of Author, Title (when appropriate), Publication, Volume, Page(s), Date, Etc.						
MN	C1	Barber et al. <i>Protein Expression and Purification</i> , 23:348-358 (2001)						
MN	C2	Zhu, et al. <i>PNAS</i> , 96(26):14742-14747 (1999)						
MN	C3	International Search Report for PCT/US2004/003035, mailed on September 22, 2004.						

* a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. _____, filed _____, and relied upon for an earlier filing date under 35 U.S.C. §120 (continuation, continuation-in-part, and divisional applications).

Examiner Signature	Marcia S. Noble <small>Digital signature of Marcia S. Noble DN: CN=Marcia S. Noble, C=US o=USPTO, ou=AU-1822 email=Marcia.Noble@uspto.gov Date: 2007-02-11 01:02:06 -05'00'</small>	/Marcia Noble/	Date Considered	02/11/2007
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.